AN ORDINANCE 2016-12-01-0899

PROVIDING FOR THE EXTENSION OF THE CITY OF SAN ANTONIO LIMITS BY THE ANNEXATION OF APPROXIMATELY 1.9 SQUARE MILES, WITHIN SAN ANTONIO'S EXTRATERRITORIAL JURISDICTION (ETJ) IN BEXAR COUNTY AND IN COMAL COUNTY, BEING A VARIABLE WIDTH OF UP TO 4,000 FEET ALONG THE U.S. 281 NORTH RIGHT-OF-WAY, BEGINNING AT THE CITY LIMITS OF SAN ANTONIO SOUTH OF MARSHALL ROAD AND NORTHWIND BOULEVARD IN BEXAR COUNTY AND CONTINUING NORTH ALONG U.S. 281 NORTH TO APPROXIMATELY 1,830 FEET SOUTH OF ANCESTRAL TRAIL IN COMAL COUNTY; WAIVING CHAPTER 11 OF THE CITY CODE REGARDING SALE OF FIREWORKS, ARTICLES III AND IV REFERENCING FIREWORKS FOR THE PERIOD OF DECEMBER 31, 2016 UNTIL JANUARY 2, 2017; ESTABLISHING AN EFFECTIVE DATE OF DECEMBER 31, 2016, AND ADOPTING A SERVICE PLAN FOR SUCH AREA.

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WHEREAS, the City Council of the City of San Antonio at its meeting on September 8, 2016, directed the Department of Planning and Community Development to prepare a Service Plan for the U.S. 281 NORTH CORRIDOR ANNEXATION AREA, prior to the publication of the notice of the first required public hearing, in accordance with Chapter 43 of the Texas Local Government Code; and

WHEREAS, on the 2nd day of November 2016 and the 9th day of November 2016, the City Council of the City of San Antonio held public hearings on the proposed annexation of the U.S. 281 NORTH CORRIDOR, and such public hearings gave all interested persons the right to appear and be heard on the proposed annexation of such land; and

WHEREAS, on October 20, 2016, notice of the above-mentioned public hearings was published in the San Antonio Express-News, a newspaper having general circulation in the City of San Antonio, Texas and within the territory to be annexed and posted on the internet web site maintained by the City of San Antonio in accordance with laws; and

WHEREAS, the above-mentioned public hearings were conducted not more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings; and

WHEREAS, the population of the City of San Antonio, Texas, is in excess of 1,469,845 inhabitants, and the areas to be annexed lie within the extraterritorial jurisdiction of the City of San Antonio, Texas, and lie adjacent to and adjoin the City of San Antonio, Texas; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:
SECTION 1. The land and territory lying outside of, but adjacent to and adjoining the City of San Antonio, known as the U.S. 281 NORTH CORRIDOR ANNEXATION AREA, more generally described in the map in EXHIBIT “A,” attached hereto and incorporated herein verbatim for all purposes, is hereby added and annexed to the City of San Antonio, Texas, and said territory as described shall hereafter be included within the boundary limits of said city, and the present boundary limits of said city, at the various points contiguous to the area described in EXHIBIT “B,” are altered and amended so as to include said area within the corporate limits of the City of San Antonio, Texas.

SECTION 2. The land and territory, known as the U.S. 281 NORTH CORRIDOR ANNEXATION AREA, save and except those properties that are the subject of a development agreement between the City of San Antonio and property owners incorporated herein for all purposes described in EXHIBIT “D”, save and except 37 Comal County parcels and 3 Bexar County parcels and the adjoining US 281 Hwy right of way incorporated herein for all purposes described in EXHIBIT “F”, and save and except 2.82 acres out of Lot 1, Block 1, County Block 4925, MTM Life Insurance Subdivision, Bexar County incorporated herein for all purposes described in “EXHIBIT F”, shall be a part of the City of San Antonio, Texas and the property, the residents and landowners thereof shall be subject to and enjoy the rights conferred by Chapter 43 of the Texas Local Government Code and the provisions of this ordinance.

SECTION 3. A service plan applicable to the property described in EXHIBIT “A,” is hereby adopted and the implementation of said plan is hereby authorized. Such plan is attached hereto and incorporated herein verbatim for all purposes as EXHIBIT “C”.

SECTION 4. In accordance with Section 35-307(a) of the City of San Antonio Unified Development Code, the subject property shall be zoned by separate ordinance and the assigned zoning district will become effective upon annexation. The City Council hereby waives for a period of 90 days from the effective date of this ordinance, the fees and costs authorized in the San Antonio City Code, Chapter 35, Appendix C, Section 35-C-102 for the registration of legal nonconforming rights for properties within the newly annexed area listed and depicted in EXHIBIT “A”.

SECTION 5. The enforcement of Chapter 11, Article IV, Section 11-56 of the City Code and Chapter 11, Article III, Amendments to 2015 International Fire Code, Section 1601.1.3.1 referencing fireworks within the corporate limits of the City are hereby waived from December 31, 2016 until January 2, 2017.

SECTION 6. This Ordinance shall be effective December 31, 2016.

PASSED AND APPROVED on this 1st day of December, 2016.

Mayor

Ivy R. Taylor
ATTEST:

[Signature]

Iveta M. Vacek, City Clerk

APPROVED AS TO FORM:

[Signature]

City Attorney